

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 SETH WALLACK and SAN DIEGO
11 VETERINARY IMAGING, INC.,
12
13 vs.
14
15 IDEXX LABORATORIES, INC.;
16 IDEXX REFERENCE
17 LABORATORIES, INC.; MATTHEW
18 WRIGHT; an individual; and
19 STEPHEN WALTERS, an individual
20
21 Defendants.

CASE NO. 11cv2996-GPC(KSC)

**ORDER DENYING DEFENDANTS
WRIGHT AND WALTERS'
MOTION TO RETAX COSTS AND
GRANTING DEFENDANTS'
LEAVE OF COURT TO REFILE
BILL OF COSTS WITH PROPER
DOCUMENTATION**

[Dkt. No. 152.]

22 On April 1, 2016, Defendants Walters and Wright ("Defendants") filed a Bill of
23 Costs with a hearing set on April 22, 2016. (Dkt. No. 147.) No opposition was filed.
24 On April 21, 2016, the Clerk of Court summarily denied all costs because appropriate
25 documentation, the actual invoices, were not submitted pursuant to Civil Local Rule
26 54.1(a) which provides that the "bill of costs must itemize the costs claimed and must
27 be supported by a memorandum of costs, an affidavit of counsel that the costs claimed
28 are allowable by law, are correctly stated, and were necessarily incurred, and copies of
the invoices for requested costs." Civ. Local R. 54.1. Because the Clerk of Court
denied their Bill of Costs, on April 26, 2016, Defendants filed a motion for taxation of
costs pursuant to Federal Rule of Civil Procedure 54(d) and Local Civil Rule 54.1.

1 Because Defendants are now correcting their Bill of Costs submission by attaching
2 invoices to supports its costs, the Court GRANTS Defendants leave to refile their Bill
3 of Costs with the Clerk's Office in compliance with Local Civil Rule 54.1 within five
4 days of the filing of this Order. Thus, the Court DENIES Defendants' motion to retax
5 costs.

6 IT IS SO ORDERED.

7
8 DATED: May 5, 2016

9 
10 HON. GONZALO P. CURIEL
11 United States District Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28